



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: NANCY M WATKINS	Case Number: 16SL-CC03653
Plaintiff/Petitioner: IRVIN COATS	Plaintiff's/Petitioner's Attorney/Address LAWRENCE P KAPLAN SUITE 1225 101 S. HANLEY ROAD ST. LOUIS, MO 63105
Defendant/Respondent: SHOP N SAVE WAREHOUSE FOODS, INC.	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Employmnt Discrmntn 213.111	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: SHOP N SAVE WAREHOUSE FOODS, INC.

Alias:

C/O CT CORPORATION SYSTEM
120 S. CENTRAL AVE.
CLAYTON, MO 63105

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

SPECIAL NEEDS: If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739 or TTY at 314-615-4567, at least three business days in advance of the court proceeding.

04-OCT-2016

Date

Further Information:

AD

Clerk

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.
☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

SHOP N SAVE WAREHOUSE FOODS, INC. - BONNIE LOVE (name) RECEIVED AND - CT CORPORATION SYSTEM (title)

☐ other

Served at 120 S. CENTRAL AVE., CLAYTON, MO 63105 (address)

in ST. LOUIS (County/City of St. Louis), MO, on OCTOBER 5, 2016 (date) at 1:25 PM (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

ANN MAYER EISEN
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Louis County
My Commission Expires: August 08, 2018
Commission Number: 14428270

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on October 5, 2016 (date).

My commission expires: 8/8/18

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$

Non Est \$

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ (miles @ \$. per mile)

Total \$

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

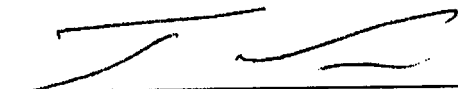
EXHIBIT

A

AFFIDAVIT OF SERVICE

Comes now JACK EISEN, and being duly sworn upon his oath states as follows his Return on a Summons in Civil Case directed to Shop N Save Warehouse Foods, Inc., c/o CT Corporation System.

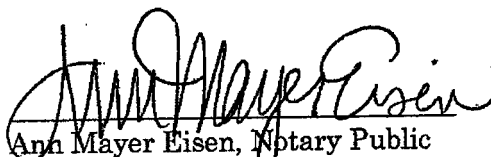
1. That he served Shop N Save Warehouse Foods, Inc. by personally handing a copy of said Summons in Civil Case to Bonnie Love, CT Corporation System.
2. That said service was made at 1:25pm on the 5 day of October, 2016 within the County of St. Louis, State of Missouri, at 120 S. Central Ave., Clayton, MO 63105.
3. That the information given herein is true and accurate to Affiant's best knowledge, information and belief.



JACK EISEN, Affiant

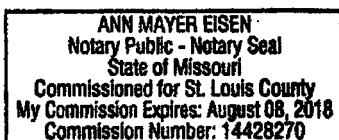
STATE OF MISSOURI
COUNTY OF ST. LOUIS

On this 5 day of October, 2016 personally appeared before me, the person who signed the foregoing Affidavit, that same was executed as Affiant's free act a Notary Public, the above named Affiant, who being duly sworn, declared that Affiant is and deed and that the statements therein are true and correct to the best of the Affiant's knowledge, information & belief.



Ann Mayer Eisen, Notary Public

My Commission Expires:





IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: NANCY M WATKINS	Case Number: 16SL-CC03653
Plaintiff/Petitioner: IRVIN COATS	Plaintiff's/Petitioner's Attorney/Address LAWRENCE P KAPLAN SUITE 1225 101 S. HANLEY ROAD ST. LOUIS, MO 63105
Defendant/Respondent: SHOP N SAVE WAREHOUSE FOODS, INC.	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Employmnt Discrmntn 213.111	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: SARAH MYER
Alias:
7355 MANCHESTER AVE.
ST. LOUIS, MO 63143

COURT SEAL OF

ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

SPECIAL NEEDS: If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739 or TTY at 314-615-4567, at least three business days in advance of the court proceeding.

04-OCT-2016
Date

John P. Shilley
Clerk

Further Information:
AD

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☒ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____

Served at 9090 ST. CHARLES ROW RD. ST. ANN MO 63114 (address)

in St. Louis (County/City of St. Louis), MO, on OCTOBER 6, 2016 (date) at 11:30am (time).

TACK EISEN
Signature of Sheriff or Server

ANN MAYER EISEN
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Louis County
My Commission Expires: August 08, 2018
Commission Number: 14428270

Must be sworn before a notary public if not served by an authorized officer:
Subscribed and sworn to before me on October 6, 2016 (date).
My commission expires: 8/8/18 (date).
Ann Mayer Eisen
Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ _____

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$ _____ per mile)


Total \$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

AFFIDAVIT OF SERVICE

Comes now JACK EISEN, and being duly sworn upon his oath states as follows his Return on a Summons in Civil Case directed to Sarah Myer.

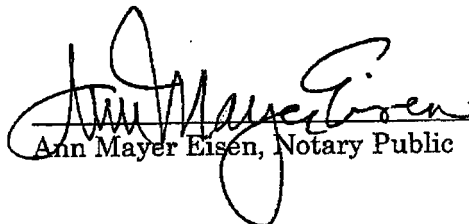
1. That he served Sarah Myer by personally handing a copy of said Summons in Civil Case to Sarah Myer.
2. That said service was made at 11:30am on the 6 day of October, 2016 within the County of St. Louis, State of Missouri, at 9090 St. Charles Rock Rd., St. Ann, MO 63114.
3. That the information given herein is true and accurate to Affiant's best knowledge, information and belief.



JACK EISEN, Affiant

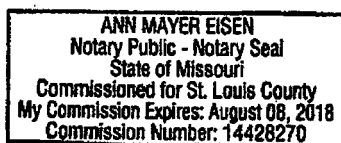
STATE OF MISSOURI
COUNTY OF ST. LOUIS

On this 6 day of October, 2016 personally appeared before me, the person who signed the foregoing Affidavit, that same was executed as Affiant's free act a Notary Public, the above named Affiant, who being duly sworn, declared that Affiant is and deed and that the statements therein are true and correct to the best of the Affiant's knowledge, information & belief.



Ann Mayer Eisen, Notary Public

My Commission Expires:



**IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS
STATE OF MISSOURI**

IRVIN COATS,)	
)	
Plaintiff,)	
v.)	Case No.
SHOP N SAVE)	
WAREHOUSE FOODS, INC.,)	Div.
Serve: C T Corporation System)	
120 South Central Avenue)	
Clayton, MO 63105)	
and)	
)	
SARAH MYER,)	
Serve: Sarah Myer)	
7355 Manchester Ave.)	
St. Louis, MO 63143)	
)	
Defendants.)	

PETITION

COMES NOW, Plaintiff, Irvin Coats ("Coats") and for his Petition against Shop N Save Warehouse Foods, Inc. ("Shop N Save"), and Sarah Myer ("Myer"), states as follows:

Parties

1. Coats is a male, American citizen of the State of Missouri.
2. Shop N Save is a Missouri corporation with its principal place of business located in the County of St. Louis, Missouri.
3. Myer was Coats' immediate supervisor.

Jurisdiction and Venue

4. Jurisdiction of the Circuit Court of Saint Louis County, Missouri is appropriate, under R.S.MO§ 213.111.1, for Coats seeks redress under the MHRA, and has complied fully with all prerequisites to jurisdiction in this Court under the MHRA.

5. Venue of the Circuit Court of Saint Louis County, Missouri, under R.S.MO § 213.111.1, for the unlawful discriminatory practices that gave rise to this instant action occurred in St. Louis County, Missouri.

6. Coats worked as a security officer for Shop N Save from June 2013 until he was terminated on April 11, 2016.

7. On or before January 2015, Coats informed Shop N Save and Myer that he had a disability and was required to be off work for medical reasons.

8. Coats went on Family Medical Leave ("FMLA") in January 2014 and February 2016 because of his disability and/or other medical reasons.

9. Upon return from FMLA leave on April 11, 2016, Coats was immediately terminated.

10. Coats filed charges with the Equal Employment Opportunity Commission ("EEOC") and the Missouri Commission of Human Rights ("MCHR") (Attached hereto as Exhibit A).

11. Coats received a Right to Sue letter from MCHR on September 6, 2016 (attached hereto as Exhibit B).

COUNT I –Discrimination Disability

12. Coats incorporated by reference paragraphs 1-11.

13. Coats was terminated by Myer and Shop N Save because of his disability or perceived disability in violation of RS.MO. §213.055.1.

WHEREFORE, Coats prays that judgment be entered against Shop N Save and Myer and in Coats's favor for his injuries in excess of the amount of \$25,000 plus back pay, front pay, his costs and attorney's fees and punitive damages in a total count of \$250,000.

WHEREFORE, Coats prays that judgment be entered against Shop N Save and Myer and in Coats's favor for his injuries in excess of the amount of \$25,000 plus back pay, front pay, his costs and attorney's fees and punitive damages in a total count of \$250,000.

COUNT II-Retaliation Family Medical Leave

14. Coats incorporates by reference paragraphs 1-11.

15. Shop N Save and Myer terminated Coats because he took Family Medical Leave.

WHEREFORE, Coats prays that judgment be entered against Shop N Save and Myer and in Coats's favor for his injuries in excess of the amount of \$25,000 plus back pay, front pay, his costs and attorney's fees and punitive damages in a total count of \$250,000.

Respectfully submitted,

KAPLAN ASSOCIATES, LLC

By: /s/Lawrence P. Kaplan

Lawrence P. Kaplan, #19782

Susan Kister, #37328

101 S. Hanley, Suite 1225

St. Louis, Missouri 63105

Telephone: (314) 863-2929

Facsimile: (314) 863-9777

lkaplan@ka-law.com

skister@ka-law.com

Attorneys for Irvin Coats

16SL-CC03653

UC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: _____ Agency(ies) Charge No(s): _____ <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 560-2016-01292	
Missouri Commission On Human Rights and EEOC State or local Agency, if any			
Name (indicate Mr., Ms., Mrs.) Mr. Irvin C. Coats		Home Phone (Incl. Area Code) (314) 702-3874	Date of Birth 03-04-1979
Street Address City, State and ZIP Code 200 Dundee Circle, Saint Louis, MO 63137			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name SHOP N SAVE		No. Employees, Members 500 or More	Phone No. (Include Area Code) (314) 644-2908
Street Address City, State and ZIP Code 7355 Manchester Ave., Saint Louis, MO 63143			
Name		No. Employees, Members	Phone No. (Include Area Code)
Street Address City, State and ZIP Code			
DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input checked="" type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 04-11-2016 04-11-2016 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I. I am a disabled individual who was employed by the above named employer as a Security Officer from June 2013 until I was terminated on April 11, 2016. My most recent supervisor was Sarah Myer, Second District Supervisor. II. I informed my employer of my disabilities in January 2015. Due to my disabilities, I went on medical leave in January 2015 and again in February 2016. Upon my return from leave, on April 11, 2016, James Ishom, Supervisor Coordinator, informed me that I was terminated for not following policy in February 2016, which I deny. In retaliation for taking medical leave for my disabilities, I believe I was terminated. My employer terminates individuals after they return from medical leave. I am aware of another individual who was terminated after taking medical leave. III. For the above stated reasons, I believe that I have been discriminated against because of my disabilities and retaliated against for engaging in protected activity in violation of the Americans with Disabilities Act of 1990, as amended.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT	
Date X4-28-16X Charging Party Signature [Signature]		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	





JEREMIAH W. (JAY) NIXON
GOVERNOR

MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
MISSOURI COMMISSION ON HUMAN RIGHTS

RYAN McKENNA
DEPARTMENT DIRECTOR

SARA NELL LAMPE
COMMISSION CHAIRPERSON

16SL-CC03653

ALISA WARREN, PH.D.
EXECUTIVE DIRECTOR

July 25, 2016

Irvin C. Coats
200 Dundee Circle
St. Louis, MO 63137

RE: Coats vs. Shop N Save
FE-5/16-25270 560-2016-01292

FE-5/16-25270
Administrative UserRecords

The Missouri Commission on Human Rights (MCHR) is terminating its proceedings and issuing this notice of your right to sue under the Missouri Human Rights Act because you have requested a notice of your right to sue.

You are hereby notified that you have the right to bring a civil action within 90 days of the date of this letter against the respondent(s) named in the complaint. Such an action may be brought in any state circuit court in any county in which the unlawful discriminatory practice is alleged to have occurred, either before a circuit or associate circuit judge. Not only must any action brought in court pursuant to this right to sue authorization be filed within 90 days from the date of this letter, any such case must also be filed no later than two years after the alleged cause occurred or your reasonable discovery of the alleged cause.

IF YOU DO NOT FILE A CIVIL ACTION IN STATE CIRCUIT COURT RELATING TO THE MATTERS ASSERTED IN YOUR COMPLAINT WITHIN 90 DAYS OF THE DATE OF THIS NOTICE (AND WITHIN TWO YEARS OF THE ALLEGED CAUSE, OR THE DISCOVERY OF THE ALLEGED CAUSE, OF YOUR COMPLAINT), YOUR RIGHT TO SUE IS LOST.

You are also notified that the Executive Director is administratively closing this case and terminating all MCHR proceedings relating to your complaint. You may not reinstate this complaint with the MCHR or file a new complaint with the MCHR relating to the same act or practice, but rather, if you choose to continue to pursue your complaint, you must do so in court as described in this letter. This notice of right to sue has no effect on the suit-filing period of any federal claims.

(continued on next page)



3315 W. TRUMAN BLVD.
P.O. Box 1129
JEFFERSON CITY, MO 65102-1129
PHONE: 573-751-3325
FAX: 573-751-2905



111 N. 7TH STREET, SUITE 903
ST. LOUIS, MO 63101-2100
PHONE: 314-340-7590
FAX: 314-340-7238



P.O. Box 1300
OZARK, MO 65721-1300
FAX: 417-485-6024



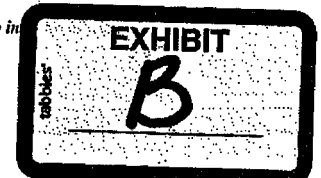
1410 GENESSEE, SUITE 260
KANSAS CITY, MO 64102
FAX: 816-889-3582



106 ARTHUR STREET
SUITE D
SIKESTON, MO 63801-5454
FAX: 573-472-5321

Missouri Commission on Human Rights is an equal opportunity employer/program. Auxiliary aides and services are available upon request to individuals with disabilities.

TDD/TTY: 1-800-735-2968 (TDD) Relay Missouri: 711
www.labor.mo.gov/mohumanrights E-Mail: mchr@labor.mo.gov



RE: Coats vs. Shop N Save
FE-5/16-25270 560-2016-01292

In addition to the process described above, if any party is aggrieved by this decision of the MCHR, that party may appeal the decision by filing a petition under § 536.150 of the Revised Statutes of Missouri in state circuit court. Any such petition must be filed in the circuit court of Cole County.

Respectfully,



Alisa Warren, Ph.D.
Executive Director

Shop N Save
7355 Manchester Ave.
St. Louis, MO 63143

Terri A. Spandl
11840 Valley View Road
Eden Prairie, MN 55344

Lawrence P. Kaplan
101 South Hanley, Suite 1225
St. Louis, MO 63105
Via email

3315 W. TRUMAN BLVD.
P.O. Box 1129
JEFFERSON CITY, MO 65102-1129
PHONE: 573-751-3325
FAX: 573-751-2905

111 N. 7TH STREET, SUITE 903
ST. LOUIS, MO 63101-2100
PHONE: 314-340-7590
FAX: 314-340-7238

P.O. Box 1300
OZARK, MO 65721-1300
FAX: 417-485-6024

1410 GENESSEE, SUITE 260
KANSAS CITY, MO 64102
FAX: 816-889-3582

106 ARTHUR STREET
SUITE D
STKESTON, MO 63801-5454
FAX: 573-472-5321

Missouri Commission on Human Rights is an equal opportunity employer/program. Auxiliary aides and services are available upon request to individuals with disabilities.

TDD/TTY: 1-800-735-2966 (TDD) Relay Missouri: 711
www.labor.mo.gov/mohumanrights E-Mail: mchr@labor.mo.gov

=====

CASE INFORMATION

=====

DATE: 10/4/16
COURT LOCATION: St Louis County - Circuit Court
CASE TYPE: TJ - Employment Discrimination (213.111 RSMo)
CASE STYLE: IRVIN COATS V SHOP N SAVE WAREHOUSE FOODS, ET AL

=====

PARTY INFORMATION

=====

PARTY TYPE: PLT - Plaintiff
SSN:
FIRST NAME: IRVIN
MIDDLE NAME:
LAST NAME: COATS
SUFFIX:
GENDER: MALE
DOB: 03/04/1979
E-MAIL:
PHONE:
ADDRESS:
200 DUNDEE CIRCLE
ST. LOUIS, MO 63137
FILER: 19782 - LAWRENCE P. KAPLAN

PARTY TYPE: DFT - Defendant
EIN:
ORGANIZATION: SHOP N SAVE WAREHOUSE FOODS, INC.
E-MAIL:
PHONE:
ADDRESS:
C/O CT CORPORATION SYSTEM
120 S. CENTRAL AVE.
CLAYTON, MO 63105

PARTY TYPE: DFT - Defendant
SSN:
FIRST NAME: SARAH
MIDDLE NAME:
LAST NAME: MYER
SUFFIX:
GENDER:
DOB:
E-MAIL:
PHONE:
ADDRESS:
7355 MANCHESTER AVE.
ST. LOUIS, MO 63143

=====

SUBMITTER INFORMATION

=====

SUBMITTED BY: 19782 - Lawrence P. Kaplan
PHONE: (314) 863-2929
E-MAIL: lkaplan@ka-law.com
ADDRESS:
LAWRENCE P. KAPLAN
101 SOUTH HANLEY
SUITE 1225
ST. LOUIS, MO 63105

16SL-CC03653

In the
CIRCUIT COURT
 Of St. Louis County, Missouri



For File Stamp Only

Irvin Coats
 Plaintiff/Petitioner

October 4, 2016
 Date

vs.

Shop N Save Warehouse Foods, Inc. and Sarah Myer
 Defendant/Respondent

Case Number

Division

REQUEST FOR APPOINTMENT OF PROCESS SERVER

Comes now Plaintiff, pursuant
 Requesting Party

to Local Rule 28, and at his/her/its own risk requests the appointment of the Circuit Clerk of

Eisen Enterprises, LLC / Jack Eisen
 Name of Process Server Address Telephone

1601 Orchard Lakes Dr. St. Louis, MO 63146 314-993-1988
 Name of Process Server Address or in the Alternative Telephone

Name of Process Server Address or in the Alternative Telephone

Natural person(s) of lawful age to serve the summons and petition in this cause on the below named parties. This appointment as special process server does not include the authorization to carry a concealed weapon in the performance thereof.

SERVE:

Shop N Save Warehouse Foods, Inc.
 Name
c/o CT Corporation System
 Address
120 S. Central Ave, Clayton, MO 63105
 City/State/Zip

SERVE:

Sarah Myer
 Name
7355 Manchester Ave.
 Address
St. Louis, MO 63143
 City/State/Zip

Appointed as requested:

JOAN M. GILMER, Circuit Clerk

By _____
 Deputy Clerk

_____ Date

SERVE:

 Name

 Address

 City/State/Zip

SERVE:

 Name

 Address

 City/State/Zip

/s/Lawrence P. Kaplan
 Attorney/Plaintiff/Petitioner
19782
 Bar No.
Kaplan Associates, LLC 101 S. Hanley Rd. Ste 1225 63105
 Address
(314) 863-2929 (314) 863-9777
 Phone No. Fax No.

16SL-CC03653

In the
CIRCUIT COURT
 Of St. Louis County, Missouri



For File Stamp Only

Irvin Coats
 Plaintiff/Petitioner

October 4, 2016
 Date

vs.

Shop N Save Warehouse Foods, Inc. and Sarah Myer
 Defendant/Respondent

Case Number

Division

REQUEST FOR APPOINTMENT OF PROCESS SERVER

Comes now Plaintiff, pursuant
 to Local Rule 28, and at his/her/its own risk requests the appointment of the Circuit Clerk of
Eisen Enterprises, LLC / Jack Eisen

Name of Process Server Address Telephone
1601 Orchard Lakes Dr. St. Louis, MO 63146 314-993-1988
 Name of Process Server Address or in the Alternative Telephone

Name of Process Server Address or in the Alternative Telephone

Natural person(s) of lawful age to serve the summons and petition in this cause on the below
 named parties. This appointment as special process server does not include the authorization
 to carry a concealed weapon in the performance thereof.

SERVE:

Shop N Save Warehouse Foods, Inc.
 Name
c/o CT Corporation System
 Address
120 S. Central Ave, Clayton, MO 63105
 City/State/Zip

SERVE:

Sarah Myer
 Name
7355 Manchester Ave.
 Address
St. Louis, MO 63143
 City/State/Zip

Appointed as requested:

JOAN M. GILMER, Circuit Clerk

By /s/Adam Dockery
 Deputy Clerk

10/4/16

Date

SERVE:

Name

 Address

 City/State/Zip

SERVE:

Name

 Address

 City/State/Zip

/s/Lawrence P. Kaplan
 Attorney/Plaintiff/Petitioner
19782
 Bar No.
Kaplan Associates, LLC 101 S. Hanley Rd. Ste 1225 63105
 Address
(314) 863-2929 (314) 863-9777
 Phone No. Fax No.



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: NANCY M WATKINS	Case Number: 16SL-CC03653
Plaintiff/Petitioner: IRVIN COATS	Plaintiff's/Petitioner's Attorney/Address LAWRENCE P KAPLAN SUITE 1225 101 S. HANLEY ROAD ST. LOUIS, MO 63105
Defendant/Respondent: SHOP N SAVE WAREHOUSE FOODS, INC.	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Employmnt Discrmntn 213.111	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: SHOP N SAVE WAREHOUSE FOODS, INC.

Alias:

C/O CT CORPORATION SYSTEM
120 S. CENTRAL AVE.
CLAYTON, MO 63105

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

SPECIAL NEEDS: If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739 or TTY at 314-615-4567, at least three business days in advance of the court proceeding.

04-OCT-2016
DateFurther Information:
AD

Clerk

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
- ☐ other _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____ Date _____ Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

Twenty First Judicial Circuit

NOTICE OF ALTERNATIVE DISPUTE RESOLUTION SERVICES

Purpose of Notice

As a party to a lawsuit in this court, you have the right to have a judge or jury decide your case. However, most lawsuits are settled by the parties before a trial takes place. This is often true even when the parties initially believe that settlement is not possible. A settlement reduces the expense and inconvenience of litigation. It also eliminates any uncertainty about the results of a trial.

Alternative dispute resolution services and procedures are available that may help the parties settle their lawsuit faster and at less cost. Often such services are most effective in reducing costs if used early in the course of a lawsuit. Your attorney can aid you in deciding whether and when such services would be helpful in your case.

Your Rights and Obligations in Court Are Not Affected By This Notice

You may decide to use an alternative dispute resolution procedure if the other parties to your case agree to do so. In some circumstances, a judge of this court may refer your case to an alternative dispute resolution procedure described below. These procedures are not a substitute for the services of a lawyer and consultation with a lawyer is recommended. Because you are a party to a lawsuit, you have obligations and deadlines which must be followed whether you use an alternative dispute resolution procedure or not. **IF YOU HAVE BEEN SERVED WITH A PETITION, YOU MUST FILE A RESPONSE ON TIME TO AVOID THE RISK OF DEFAULT JUDGMENT, WHETHER OR NOT YOU CHOOSE TO PURSUE AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE.**

Alternative Dispute Resolution Procedures

There are several procedures designed to help parties settle lawsuits. Most of these procedures involve the services of a neutral third party, often referred to as the "neutral," who is trained in dispute resolution and is not partial to any party. The services are provided by individuals and organizations who may charge a fee for this help. Some of the recognized alternative dispute resolutions procedures are:

(1) Advisory Arbitration: A procedure in which a neutral person or persons (typically one person or a panel of three persons) hears both sides and decides the case. The arbitrator's decision is not binding and simply serves to guide the parties in trying to settle their lawsuit. An arbitration is typically less formal than a trial, is usually shorter, and may be conducted in a private setting at a time mutually agreeable to the parties. The parties, by agreement, may select the arbitrator(s) and determine the rules under which the arbitration will be conducted.

(2) Mediation: A process in which a neutral third party facilitates communication between the parties to promote settlement. An effective mediator may offer solutions that have not been considered by the parties or their lawyers. A mediator may not impose his or her own judgment on the issues for that of the parties.

(3) Early Neutral Evaluation (“ENE”): A process designed to bring the parties to the litigation and their counsel together in the early pretrial period to present case summaries before and receive a non-binding assessment from an experienced neutral evaluator. The objective is to promote early and meaningful communication concerning disputes, enabling parties to plan their cases effectively and assess realistically the relative strengths and weaknesses of their positions. While this confidential environment provides an opportunity to negotiate a resolution, immediate settlement is not the primary purpose of this process.

(4) Mini-Trial: A process in which each party and their counsel present their case before a selected representative for each party and a neutral third party, to define the issues and develop a basis for realistic settlement negotiations. The neutral third party may issue an advisory opinion regarding the merits of the case. The advisory opinion is not binding.

(5) Summary Jury Trial: A summary jury trial is a non binding, informal settlement process in which jurors hear abbreviated case presentations. A judge or neutral presides over the hearing, but there are no witnesses and the rules of evidence are relaxed. After the “trial”, the jurors retire to deliberate and then deliver an advisory verdict. The verdict then becomes the starting point for settlement negotiations among the parties.

Selecting an Alternative Dispute Resolution Procedure and a Neutral

If the parties agree to use an alternative dispute resolution procedure, they must decide what type of procedure to use and the identity of the neutral. As a public service, the St. Louis County Circuit Clerk maintains a list of persons who are available to serve as neutrals. The list contains the names of individuals who have met qualifications established by the Missouri Supreme Court and have asked to be on the list. The Circuit Clerk also has Neutral Qualifications Forms on file. These forms have been submitted by the neutrals on the list and provide information on their background and expertise. They also indicate the types of alternative dispute resolution services each neutral provides.

A copy of the list may be obtained by request in person and in writing to: Circuit Clerk, Office of Dispute Resolution Services, 7900 Carondelet Avenue, 5th Floor, Clayton, Missouri 63105. The Neutral Qualifications Forms will also be made available for inspection upon request to the Circuit Clerk.

The List and Neutral Qualification Forms are provided only as a convenience to the parties in selecting a neutral. The court cannot advise you on legal matters and can only provide you with the List and Forms. You should ask your lawyer for further information.



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: NANCY M WATKINS	Case Number: 16SL-CC03653
Plaintiff/Petitioner: IRVIN COATS	Plaintiff's/Petitioner's Attorney/Address LAWRENCE P KAPLAN SUITE 1225 101 S. HANLEY ROAD ST. LOUIS, MO 63105
Defendant/Respondent: SHOP N SAVE WAREHOUSE FOODS, INC.	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Employmnt Discrmntn 213.111	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: SARAH MYER

Alias:

7355 MANCHESTER AVE.
ST. LOUIS, MO 63143

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

SPECIAL NEEDS: If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739 or TTY at 314-615-4567, at least three business days in advance of the court proceeding.

04-OCT-2016

Date

Further Information:

AD

Clerk

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

Twenty First Judicial Circuit

NOTICE OF ALTERNATIVE DISPUTE RESOLUTION SERVICES

Purpose of Notice

As a party to a lawsuit in this court, you have the right to have a judge or jury decide your case. However, most lawsuits are settled by the parties before a trial takes place. This is often true even when the parties initially believe that settlement is not possible. A settlement reduces the expense and inconvenience of litigation. It also eliminates any uncertainty about the results of a trial.

Alternative dispute resolution services and procedures are available that may help the parties settle their lawsuit faster and at less cost. Often such services are most effective in reducing costs if used early in the course of a lawsuit. Your attorney can aid you in deciding whether and when such services would be helpful in your case.

Your Rights and Obligations in Court Are Not Affected By This Notice

You may decide to use an alternative dispute resolution procedure if the other parties to your case agree to do so. In some circumstances, a judge of this court may refer your case to an alternative dispute resolution procedure described below. These procedures are not a substitute for the services of a lawyer and consultation with a lawyer is recommended. Because you are a party to a lawsuit, you have obligations and deadlines which must be followed whether you use an alternative dispute resolution procedure or not. **IF YOU HAVE BEEN SERVED WITH A PETITION, YOU MUST FILE A RESPONSE ON TIME TO AVOID THE RISK OF DEFAULT JUDGMENT, WHETHER OR NOT YOU CHOOSE TO PURSUE AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE.**

Alternative Dispute Resolution Procedures

There are several procedures designed to help parties settle lawsuits. Most of these procedures involve the services of a neutral third party, often referred to as the "neutral," who is trained in dispute resolution and is not partial to any party. The services are provided by individuals and organizations who may charge a fee for this help. Some of the recognized alternative dispute resolutions procedures are:

(1) Advisory Arbitration: A procedure in which a neutral person or persons (typically one person or a panel of three persons) hears both sides and decides the case. The arbitrator's decision is not binding and simply serves to guide the parties in trying to settle their lawsuit. An arbitration is typically less formal than a trial, is usually shorter, and may be conducted in a private setting at a time mutually agreeable to the parties. The parties, by agreement, may select the arbitrator(s) and determine the rules under which the arbitration will be conducted.

(2) Mediation: A process in which a neutral third party facilitates communication between the parties to promote settlement. An effective mediator may offer solutions that have not been considered by the parties or their lawyers. A mediator may not impose his or her own judgment on the issues for that of the parties.

CCADM73

(3) Early Neutral Evaluation (“ENE”): A process designed to bring the parties to the litigation and their counsel together in the early pretrial period to present case summaries before and receive a non-binding assessment from an experienced neutral evaluator. The objective is to promote early and meaningful communication concerning disputes, enabling parties to plan their cases effectively and assess realistically the relative strengths and weaknesses of their positions. While this confidential environment provides an opportunity to negotiate a resolution, immediate settlement is not the primary purpose of this process.

(4) Mini-Trial: A process in which each party and their counsel present their case before a selected representative for each party and a neutral third party, to define the issues and develop a basis for realistic settlement negotiations. The neutral third party may issue an advisory opinion regarding the merits of the case. The advisory opinion is not binding.

(5) Summary Jury Trial: A summary jury trial is a non binding, informal settlement process in which jurors hear abbreviated case presentations. A judge or neutral presides over the hearing, but there are no witnesses and the rules of evidence are relaxed. After the “trial”, the jurors retire to deliberate and then deliver an advisory verdict. The verdict then becomes the starting point for settlement negotiations among the parties.

Selecting an Alternative Dispute Resolution Procedure and a Neutral

If the parties agree to use an alternative dispute resolution procedure, they must decide what type of procedure to use and the identity of the neutral. As a public service, the St. Louis County Circuit Clerk maintains a list of persons who are available to serve as neutrals. The list contains the names of individuals who have met qualifications established by the Missouri Supreme Court and have asked to be on the list. The Circuit Clerk also has Neutral Qualifications Forms on file. These forms have been submitted by the neutrals on the list and provide information on their background and expertise. They also indicate the types of alternative dispute resolution services each neutral provides.

A copy of the list may be obtained by request in person and in writing to: Circuit Clerk, Office of Dispute Resolution Services, 7900 Carondelet Avenue, 5th Floor, Clayton, Missouri 63105. The Neutral Qualifications Forms will also be made available for inspection upon request to the Circuit Clerk.

The List and Neutral Qualification Forms are provided only as a convenience to the parties in selecting a neutral. The court cannot advise you on legal matters and can only provide you with the List and Forms. You should ask your lawyer for further information.

I certify and attest that the above is a true copy of the original record of the Court in case number 16SLCC 3653 as it appears on file in my office.



Issued

October 14, 2016

JOAN M. GILMER, Circuit Clerk
St. Louis County Circuit Court

By

Kristina M. Hul
Deputy Clerk